

Review of the Australian Small Business and Family Enterprise Ombudsman - Terms of Reference

The review is to examine how efficiently and effectively the Australian Small Business and Family Enterprise Ombudsman (the Ombudsman) has undertaken the assistance and advocacy functions set out under the *Australian Small Business and Family Enterprise Ombudsman Act 2015* (the Act). The review is to make recommendations to improve the efficiency and effectiveness of the Ombudsman's functions. The review should consider:

Advocacy function

- the type of advocacy work the Ombudsman has undertaken in carrying out the advocacy function and how effective the Ombudsman has been as an advocate for small business and family enterprises;

Assistance function

- the type of work the Ombudsman has undertaken in carrying out the assistance function and how effective the Ombudsman has been in providing assistance to small businesses and family enterprises including the following matters required under section 95 of the Act:
 - the kinds of assistance requested from small businesses and family enterprises;
 - whether the assistance given was convenient and effective for the operators of small businesses and family enterprises who requested assistance; and
 - whether amendment of the Ombudsman Act is needed to more conveniently and effectively assist the operators of small businesses and family enterprises.
- how the Ombudsman cooperates and refers matters to government agencies and whether the cooperation has been effective;
- how the Ombudsman manages requests for assistance in relation to disputes, including recommendations on alternative dispute resolution processes;

Other matters

- identify any challenges with identifying the position as an 'Ombudsman';
- the funding for the Ombudsman and whether it is sufficient to undertake the advocacy and assistance functions;
- identify any challenges or barriers impacting the Ombudsman's effectiveness in undertaking the advocacy and assistance functions.